GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Andhra Pradesh Re-organization Act, 2014 – Revision of final Allocation of Smt Uzma Nikhath, Senior Assistant, O/o. Director General and Inspector General of Prisons and Correctional Services, in compliance of order dated 28.01.2019 passed by the Hon'ble High Court of Telangana in WP (TR) No.5680/2017 – Orders of Government of India – Published in the Andhra Pradesh Extraordinary Gazette – Orders – Issued.

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GENERAL ADMINISTRATION (SR) DEPARTMENT

G.O.Ms.No.151 Dated:06.12.2019.
Read the following:

From the Under Secretary to the Government of India Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions, New Delhi, Order in F.No.29/71/2015-SR(S), dated 05.12.2019.

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O R D E R:

The Order in F.No. 29/71/2015-SR(S), dated 05.12.2019 of Government of India, Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions, enclosed to this order, shall be published in the next extra-ordinary Gazette of Andhra Pradesh.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L. PREMACHANDRA REDDY
E.O.PRL.SECRETARY TO GOVERNMENT

Encl : 1 Sheet
To
The Commissioner, Printing, Stationery & Stores Purchase Department, Government of Andhra Pradesh, Vijayawada (5 copies for publication in the extra – ordinary issue of Andhra Pradesh Gazette)
Smt. Uzma Nikhath, Senior Assistant through DG & IG of Prisons and Correctional Services, Government of Andhra Pradesh.
The DG & IG of Prisons and Correctional Services, Government of Andhra Pradesh.
The DG & IG of Prisons and Correctional Services, Government of Telangana.
The Principal Secretary to Government, Home Department, Government of Andhra Pradesh, A.P. Secretariat, Velgapudi, Guntur District.
The Principal Secretary to Government, Home Department, Government of Telangana, Telangana Secretariat, Hyderabad.

Copy to:

The Secretary to Government of India, Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions, North Block, New Delhi – 110 001.
The OSD to Chief Secretary to Government, Government of Andhra Pradesh, A.P. Secretariat, Velgapudi, Guntur District.
The PS to Chief Secretary to Government, Government of Telangana, Telangana Secretariat, Hyderabad.
The E.O.Prl.Secretary to Government, General Administration (SR) Department, Government of Andhra Pradesh, A.P. Secretariat, Hyderabad.
The Prl.Secretary to Government, General Administration (SR) Department, Government of Telangana, Telangana Secretariat, Hyderabad.
SF/SCs

// FORWARDED :: BY ORDER//

ASST. SECY. TO GOVERNMENT (S.R)

F.No. 29/71/2015-SR(S)
Government of India
Ministry of Personnel, PG and Pensions
Departmental of Personnel and Training
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3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi
Dated : 5th December 2019

ORDER

Subject: Revision of final allocation of Smt. Uzma Nikhat, Senior Assistant, O/o Director General and Inspector General of Prisons and Correctional Services, in compliance of order dated 28.01.2019 passed by the Hon'ble High Court of Telangana in WP (TR) No.5680/2017 - reg.

Smt. Uzma Nikhat, Senior Assistant, O/o Director General and Inspector General of Prisons was allocated to Andhra Pradesh vide Order No.20(3)/2015 dated 16.03.2016.

2. Aggrieved with her allocation to Andhra Pradesh Smt. Uzma Nikhat filed an OA in the AP Administrative Tribunal which was later transferred in the Hon'ble High Court of Telangana at Hyderabad and converted in WP (TR) No.5680/2017. The said WP was disposed by the Hon'ble High Court vide order dated 28.01.2019 setting aside the Final Allocation Order dated 16.03.2019, issued by the Government of India, with the direction to allocate the Petitioner to the State of Telangana. The operative part of the order is reproduced below:

"... ...

5. ... ... the orders of the respondents allocating the petitioner to the successor State of Andhra Pradesh as approved by the first respondent by order dated 08.01.2016 are unsustainable. Resultantly, the said decision is set aside and the official respondents are directed to allocate the petitioner to the State of Telangana taking into consideration her spouse factor and pass consequential orders as may be found necessary to give effect to the contents of this decision.

... ..."

3. The representation submitted by the petitioner, in compliance of the aforementioned judgment of the Hon'ble High Court, for revision of her allocation from Andhra Pradesh to Telangana, was examined in this Department and it was decided to place the matter for consideration of the Advisory Committee as per the standard procedure.

4. The matter was placed before the Advisory Committee, through circulation of note, and the Committee approved for allocation of Smt. Uzma Nikhat, Senior Assistant under medical hardship criteria i.e. para 18 (m)(iii) of the allocation guidelines, on humanitarian grounds, in compliance of the spirit of the directions of the Hon'ble High Court to the State of Telangana.

... 2/-

5. The recommendations of the Advisory Committee have been accepted by the Competent Authority. Accordingly, Government of India, drawing powers conferred under Section 77 (3) of the AP Reorganisation Act, 2014, in partial supersession of Order No. 20(3)/2015 dated 16.03.2016, hereby **revises the final allocation of Smt. Uzma Nikhat, Senior Assistant O/o DG Prisons and Correctional Services from Andhra Pradesh to Telangana.**

6. Smt. Uzma Nikhat shall be adjusted against an available vacancy of Sr. Assistant in the O/o DG Prisons, Telangana. However, in case of non-availability of vacancy, Telangana Government may allow the Petitioner to continue with her present assignment / arrangement, till a regular vacancy arises in the O/o DG Prisons, Telangana. Further, if no regular vacancy arises till completion of the period of her present assignment / arrangement, the State Government of Telangana shall accommodate the petitioner by creating a supernumerary post. She may be adjusted against a regular post as and when a vacancy arises in the category of Sr. Assistant in the O/o DG Prisons, Telangana.

5-12-19

(R. Venkatesan)
Under Secretary to the Government of India

To

1. The Chief Secretary, Andhra Pradesh Government, Velagapudi, Guntur, AP
2. The Chief Secretary, Telangana Government, Hyderabad, Telangana
3. The Secretary, Department of Home, Andhra Pradesh Government, Velagapudi, Guntur, AP
4. The Secretary, Department of Home, Telangana Government, Hyderabad, Telangana
5. The Secretary, General Administration (SR) Department, Andhra Pradesh Government, Hyderabad, Telangana